

AMENDED IN SENATE AUGUST 19, 2015

AMENDED IN SENATE JUNE 22, 2015

AMENDED IN ASSEMBLY MAY 28, 2015

AMENDED IN ASSEMBLY APRIL 9, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 483

Introduced by Assembly Member Patterson
(Principal coauthor: Assembly Member Gordon)
(Coauthors: Assembly Members Chang, Chávez, Grove, Obernolte,
Waldron, and Wilk)
(Coauthor: Senator Anderson)

February 23, 2015

An act to amend Sections 1724, 1944, 2456.1, 2570.16, ~~2688~~, 4842.5, 4905, 4970, and 5604 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 483, as amended, Patterson. Healing arts: initial license fees: proration.

Existing law provides for the regulation and licensure of various professions and vocations by boards within the Department of Consumer Affairs. Existing law establishes fees for initial licenses, initial temporary and permanent licenses, and original licenses for those various professions and vocations. Existing law requires that licenses issued to certain licensees, including, among others, architects, acupuncturists, dental hygienists, dentists, occupational therapists, osteopathic physicians and surgeons, ~~physical therapists~~, *registered veterinary*

technicians, and veterinarians, expire at 12 a.m. on either the last day of the birth month of the licensee or at 12 a.m. of the legal birth date of the licensee during the 2nd year of a 2-year term, if not renewed.

This bill would require that the fees imposed on these licensees for an initial license or an original license be prorated on a monthly basis. The bill would require that the fee assessed an osteopathic physician and surgeon for license renewal be prorated on a monthly basis.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1724 of the Business and Professions
- 2 Code is amended to read:
- 3 1724. The amount of charges and fees for dentists licensed
- 4 pursuant to this chapter shall be established by the board as is
- 5 necessary for the purpose of carrying out the responsibilities
- 6 required by this chapter as it relates to dentists, subject to the
- 7 following limitations:
- 8 (a) The fee for application for examination shall not exceed five
- 9 hundred dollars (\$500).
- 10 (b) The fee for application for reexamination shall not exceed
- 11 one hundred dollars (\$100).
- 12 (c) The fee for examination and for reexamination shall not
- 13 exceed eight hundred dollars (\$800). Applicants who are found to
- 14 be ineligible to take the examination shall be entitled to a refund
- 15 in an amount fixed by the board.
- 16 (d) The fee for an initial license and for the renewal of a license
- 17 is five hundred twenty-five dollars (\$525). The fee for an initial
- 18 license fee shall be prorated on a monthly basis.
- 19 (e) The fee for a special permit shall not exceed three hundred
- 20 dollars (\$300), and the renewal fee for a special permit shall not
- 21 exceed one hundred dollars (\$100).
- 22 (f) The delinquency fee shall be the amount prescribed by
- 23 Section 163.5.
- 24 (g) The penalty for late registration of change of place of
- 25 practice shall not exceed seventy-five dollars (\$75).
- 26 (h) The application fee for permission to conduct an additional
- 27 place of practice shall not exceed two hundred dollars (\$200).

1 (i) The renewal fee for an additional place of practice shall not
2 exceed one hundred dollars (\$100).

3 (j) The fee for issuance of a substitute certificate shall not exceed
4 one hundred twenty-five dollars (\$125).

5 (k) The fee for a provider of continuing education shall not
6 exceed two hundred fifty dollars (\$250) per year.

7 (l) The fee for application for a referral service permit and for
8 renewal of that permit shall not exceed twenty-five dollars (\$25).

9 (m) The fee for application for an extramural facility permit
10 and for the renewal of a permit shall not exceed twenty-five dollars
11 (\$25).

12 The board shall report to the appropriate fiscal committees of
13 each house of the Legislature whenever the board increases any
14 fee pursuant to this section and shall specify the rationale and
15 justification for that increase.

16 SEC. 2. Section 1944 of the Business and Professions Code is
17 amended to read:

18 1944. (a) The committee shall establish by resolution the
19 amount of the fees that relate to the licensing of a registered dental
20 hygienist, a registered dental hygienist in alternative practice, and
21 a registered dental hygienist in extended functions. The fees
22 established by board resolution in effect on June 30, 2009, as they
23 relate to the licensure of registered dental hygienists, registered
24 dental hygienists in alternative practice, and registered dental
25 hygienists in extended functions, shall remain in effect until
26 modified by the committee. The fees are subject to the following
27 limitations:

28 (1) The application fee for an original license and the fee for
29 the issuance of an original license shall not exceed two hundred
30 fifty dollars (\$250). The fee for the issuance of an original license
31 shall be prorated on a monthly basis.

32 (2) The fee for examination for licensure as a registered dental
33 hygienist shall not exceed the actual cost of the examination.

34 (3) For third- and fourth-year dental students, the fee for
35 examination for licensure as a registered dental hygienist shall not
36 exceed the actual cost of the examination.

37 (4) The fee for examination for licensure as a registered dental
38 hygienist in extended functions shall not exceed the actual cost of
39 the examination.

1 (5) The fee for examination for licensure as a registered dental
2 hygienist in alternative practice shall not exceed the actual cost of
3 administering the examination.

4 (6) The biennial renewal fee shall not exceed one hundred sixty
5 dollars (\$160).

6 (7) The delinquency fee shall not exceed one-half of the renewal
7 fee. Any delinquent license may be restored only upon payment
8 of all fees, including the delinquency fee, and compliance with all
9 other applicable requirements of this article.

10 (8) The fee for issuance of a duplicate license to replace one
11 that is lost or destroyed, or in the event of a name change, shall
12 not exceed twenty-five dollars (\$25) or one-half of the renewal
13 fee, whichever is greater.

14 (9) The fee for certification of licensure shall not exceed one-half
15 of the renewal fee.

16 (10) The fee for each curriculum review and site evaluation for
17 educational programs for dental hygienists who are not accredited
18 by a committee-approved agency shall not exceed two thousand
19 one hundred dollars (\$2,100).

20 (11) The fee for each review or approval of course requirements
21 for licensure or procedures that require additional training shall
22 not exceed seven hundred fifty dollars (\$750).

23 (12) The initial application and biennial fee for a provider of
24 continuing education shall not exceed five hundred dollars (\$500).

25 (13) The amount of fees payable in connection with permits
26 issued under Section 1962 is as follows:

27 (A) The initial permit fee is an amount equal to the renewal fee
28 for the applicant's license to practice dental hygiene in effect on
29 the last regular renewal date before the date on which the permit
30 is issued.

31 (B) If the permit will expire less than one year after its issuance,
32 then the initial permit fee is an amount equal to 50 percent of the
33 renewal fee in effect on the last regular renewal date before the
34 date on which the permit is issued.

35 (b) The renewal and delinquency fees shall be fixed by the
36 committee by resolution at not more than the current amount of
37 the renewal fee for a license to practice under this article nor less
38 than five dollars (\$5).

1 (c) Fees fixed by the committee by resolution pursuant to this
2 section shall not be subject to the approval of the Office of
3 Administrative Law.

4 (d) Fees collected pursuant to this section shall be collected by
5 the committee and deposited into the State Dental Hygiene Fund,
6 which is hereby created. All money in this fund shall, upon
7 appropriation by the Legislature in the annual Budget Act, be used
8 to implement this article.

9 (e) No fees or charges other than those listed in this section shall
10 be levied by the committee in connection with the licensure of
11 registered dental hygienists, registered dental hygienists in
12 alternative practice, or registered dental hygienists in extended
13 functions.

14 (f) The fee for registration of an extramural dental facility shall
15 not exceed two hundred fifty dollars (\$250).

16 (g) The fee for registration of a mobile dental hygiene unit shall
17 not exceed one hundred fifty dollars (\$150).

18 (h) The biennial renewal fee for a mobile dental hygiene unit
19 shall not exceed two hundred fifty dollars (\$250).

20 (i) The fee for an additional office permit shall not exceed two
21 hundred fifty dollars (\$250).

22 (j) The biennial renewal fee for an additional office as described
23 in Section 1926.4 shall not exceed two hundred fifty dollars (\$250).

24 (k) The initial application and biennial special permit fee is an
25 amount equal to the biennial renewal fee specified in paragraph
26 (6) of subdivision (a).

27 (l) The fees in this section shall not exceed an amount sufficient
28 to cover the reasonable regulatory cost of carrying out this article.

29 SEC. 3. Section 2456.1 of the Business and Professions Code
30 is amended to read:

31 2456.1. (a) All osteopathic physician's and surgeon's
32 certificates shall expire at 12 midnight on the last day of the birth
33 month of the licensee during the second year of a two-year term
34 if not renewed on or before that day.

35 (b) The board shall establish by regulation procedures for the
36 administration of a birth date renewal program, including, but not
37 limited to, the establishment of a system of staggered license
38 expiration dates such that a relatively equal number of licenses
39 expire monthly.

(c) To renew an unexpired license, the licensee shall, on or before the dates on which it would otherwise expire, apply for renewal on a form prescribed by the board and pay the prescribed renewal fee.

(d) The fee assessed pursuant to this section shall be prorated on a monthly basis.

SEC. 4. Section 2570.16 of the Business and Professions Code is amended to read:

2570.16. Initial license and renewal fees shall be established by the board in an amount that does not exceed a ceiling of one hundred fifty dollars (\$150) per year. The initial license fee shall be prorated on a monthly basis. The board shall establish the following additional fees:

(a) An application fee not to exceed fifty dollars (\$50).

(b) A late renewal fee as provided for in Section 2570.10.

(c) A limited permit fee.

(d) A fee to collect fingerprints for criminal history record checks.

~~SEC. 5. Section 2688 of the Business and Professions Code is amended to read:~~

~~2688. The amount of fees assessed in connection with licenses issued under this chapter is as follows:~~

~~(a) (1) The fee for an application for licensure as a physical therapist submitted to the board prior to March 1, 2009, shall be seventy-five dollars (\$75). The fee for an application submitted under Section 2653 to the board prior to March 1, 2009, shall be one hundred twenty-five dollars (\$125).~~

~~(2) The fee for an application for licensure as a physical therapist submitted to the board on or after March 1, 2009, shall be one hundred twenty-five dollars (\$125). The fee for an application submitted under Section 2653 to the board on or after March 1, 2009, shall be two hundred dollars (\$200).~~

~~(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of an application fee under this subdivision to an amount that does not exceed the cost of administering the application process, but in no event shall the application fee amount exceed three hundred dollars (\$300).~~

~~(b) The examination and reexamination fees for the physical therapist examination, physical therapist assistant examination, and the examination to demonstrate knowledge of the California~~

1 rules and regulations related to the practice of physical therapy
2 shall be the actual cost to the board of the development and writing
3 of, or purchase of the examination, and grading of each written
4 examination, plus the actual cost of administering each
5 examination. The board, at its discretion, may require the licensure
6 applicant to pay the fee for the examinations required by Section
7 2636 directly to the organization conducting the examination.

8 (e) (1) The fee for a physical therapist license issued prior to
9 March 1, 2009, shall be seventy-five dollars (\$75).

10 (2) The fee for a physical therapist license issued on or after
11 March 1, 2009, shall be one hundred dollars (\$100).

12 (3) Notwithstanding paragraphs (1) and (2), the board may
13 decrease or increase the amount of the fee under this subdivision
14 to an amount that does not exceed the cost of administering the
15 process to issue the license, but in no event shall the fee to issue
16 the license exceed one hundred fifty dollars (\$150).

17 (4) The fee assessed pursuant to this subdivision for an initial
18 physical therapist license issued on or after January 1, 2016, shall
19 be prorated on a monthly basis.

20 (d) (1) The fee to renew a physical therapist license that expires
21 prior to April 1, 2009, shall be one hundred fifty dollars (\$150).

22 (2) The fee to renew a physical therapist license that expires on
23 or after April 1, 2009, shall be two hundred dollars (\$200).

24 (3) Notwithstanding paragraphs (1) and (2), the board may
25 decrease or increase the amount of the renewal fee under this
26 subdivision to an amount that does not exceed the cost of the
27 renewal process, but in no event shall the renewal fee amount
28 exceed three hundred dollars (\$300).

29 (e) (1) The fee for application and for issuance of a physical
30 therapist assistant license shall be seventy-five dollars (\$75) for
31 an application submitted to the board prior to March 1, 2009.

32 (2) The fee for application and for issuance of a physical
33 therapist assistant license shall be one hundred twenty-five dollars
34 (\$125) for an application submitted to the board on or after March
35 1, 2009. The fee for an application submitted under Section 2653
36 to the board on or after March 1, 2009, shall be two hundred dollars
37 (\$200).

38 (3) Notwithstanding paragraphs (1) and (2), the board may
39 decrease or increase the amount of the fee under this subdivision
40 to an amount that does not exceed the cost of administering the

1 application process, but in no event shall the application fee amount
2 exceed three hundred dollars (\$300).

3 (f) (1) The fee to renew a physical therapist assistant license
4 that expires prior to April 1, 2009, shall be one hundred fifty dollars
5 (\$150).

6 (2) The fee to renew a physical therapist assistant license that
7 expires on or after April 1, 2009, shall be two hundred dollars
8 (\$200).

9 (3) Notwithstanding paragraphs (1) and (2), the board may
10 decrease or increase the amount of the renewal fee under this
11 subdivision to an amount that does not exceed the cost of the
12 renewal process, but in no event shall the renewal fee amount
13 exceed three hundred dollars (\$300).

14 (g) Notwithstanding Section 163.5, the delinquency fee shall
15 be 50 percent of the renewal fee in effect.

16 (h) (1) The duplicate wall certificate fee shall be fifty dollars
17 (\$50). The duplicate renewal receipt fee amount shall be fifty
18 dollars (\$50).

19 (2) Notwithstanding paragraph (1), the board may decrease or
20 increase the amount of the fee under this subdivision to an amount
21 that does not exceed the cost of issuing duplicates, but in no event
22 shall that fee exceed one hundred dollars (\$100).

23 (i) (1) The endorsement or letter of good standing fee shall be
24 sixty dollars (\$60).

25 (2) Notwithstanding paragraph (1), the board may decrease or
26 increase the amount of the fee under this subdivision to an amount
27 that does not exceed the cost of issuing an endorsement or letter,
28 but in no event shall the fee amount exceed one hundred dollars
29 (\$100).

30 ~~SEC. 6.~~

31 *SEC. 5.* Section 4842.5 of the Business and Professions Code
32 is amended to read:

33 4842.5. The amount of fees prescribed by this article is fixed
34 by the following schedule:

35 (a) The fee for filing an application for examination shall be set
36 by the board in an amount it determines is reasonably necessary
37 to provide sufficient funds to carry out the purposes of this chapter,
38 not to exceed three hundred fifty dollars (\$350).

39 (b) The fee for the California registered veterinary technician
40 examination shall be set by the board in an amount it determines

1 is reasonably necessary to provide sufficient funds to carry out the
2 purposes of this chapter, not to exceed three hundred dollars (\$300).

3 (c) The initial registration fee shall be set by the board at not
4 more than three hundred fifty dollars (\$350) and shall be prorated
5 on a monthly basis. The board may adopt regulations to provide
6 for the waiver or refund of the initial registration fee when the
7 registration is issued less than 45 days before the date on which it
8 will expire.

9 (d) The biennial renewal fee shall be set by the board at not
10 more than three hundred fifty dollars (\$350).

11 (e) The delinquency fee shall be set by the board at not more
12 than fifty dollars (\$50).

13 (f) Any charge made for duplication or other services shall be
14 set at the cost of rendering the services.

15 (g) The fee for filing an application for approval of a school or
16 institution offering a curriculum for training registered veterinary
17 technicians pursuant to Section 4843 shall be set by the board at
18 an amount not to exceed three hundred dollars (\$300). The school
19 or institution shall also pay for the actual costs of an onsite
20 inspection conducted by the board pursuant to Section 2065.6 of
21 Title 16 of the California Code of Regulations, including, but not
22 limited to, the travel, food, and lodging expenses incurred by an
23 inspection team sent by the board.

24 (h) The fee for failure to report a change in the mailing address
25 is twenty-five dollars (\$25).

26 ~~SEC. 7.~~

27 *SEC. 6.* Section 4905 of the Business and Professions Code is
28 amended to read:

29 4905. The following fees shall be collected by the board and
30 shall be credited to the Veterinary Medical Board Contingent Fund:

31 (a) The fee for filing an application for examination shall be set
32 by the board in an amount it determines is reasonably necessary
33 to provide sufficient funds to carry out the purpose of this chapter,
34 not to exceed three hundred fifty dollars (\$350).

35 (b) The fee for the California state board examination shall be
36 set by the board in an amount it determines is reasonably necessary
37 to provide sufficient funds to carry out the purpose of this chapter,
38 not to exceed three hundred fifty dollars (\$350).

39 (c) The fee for the Veterinary Medicine Practice Act
40 examination shall be set by the board in an amount it determines

1 reasonably necessary to provide sufficient funds to carry out the
2 purpose of this chapter, not to exceed one hundred dollars (\$100).

3 (d) The initial license fee shall be set by the board not to exceed
4 five hundred dollars (\$500) and shall be prorated on a monthly
5 basis. The board, by appropriate regulation, may provide for the
6 waiver or refund of the initial license fee when the license is issued
7 less than 45 days before the date on which it will expire.

8 (e) The renewal fee shall be set by the board for each biennial
9 renewal period in an amount it determines is reasonably necessary
10 to provide sufficient funds to carry out the purpose of this chapter,
11 not to exceed five hundred dollars (\$500).

12 (f) The temporary license fee shall be set by the board in an
13 amount it determines is reasonably necessary to provide sufficient
14 funds to carry out the purpose of this chapter, not to exceed two
15 hundred fifty dollars (\$250).

16 (g) The delinquency fee shall be set by the board, not to exceed
17 fifty dollars (\$50).

18 (h) The fee for issuance of a duplicate license is twenty-five
19 dollars (\$25).

20 (i) Any charge made for duplication or other services shall be
21 set at the cost of rendering the service, except as specified in
22 subdivision (h).

23 (j) The fee for failure to report a change in the mailing address
24 is twenty-five dollars (\$25).

25 (k) The initial and annual renewal fees for registration of
26 veterinary premises shall be set by the board in an amount not to
27 exceed four hundred dollars (\$400) annually.

28 (l) If the money transferred from the Veterinary Medical Board
29 Contingent Fund to the General Fund pursuant to the Budget Act
30 of 1991 is redeposited into the Veterinary Medical Board
31 Contingent Fund, the fees assessed by the board shall be reduced
32 correspondingly. However, the reduction shall not be so great as
33 to cause the Veterinary Medical Board Contingent Fund to have
34 a reserve of less than three months of annual authorized board
35 expenditures. The fees set by the board shall not result in a
36 Veterinary Medical Board Contingent Fund reserve of more than
37 10 months of annual authorized board expenditures.

38 ~~SEC. 8.~~

39 *SEC. 7.* Section 4970 of the Business and Professions Code is
40 amended to read:

1 4970. The amount of fees prescribed for licensed acupuncturists
2 shall be those set forth in this section unless a lower fee is fixed
3 by the board in accordance with Section 4972.

4 (a) The application fee shall be seventy-five dollars (\$75).

5 (b) The examination and reexamination fees shall be the actual
6 cost to the Acupuncture Board for the development and writing
7 of, grading, and administering of each examination.

8 (c) The initial license fee shall be three hundred twenty-five
9 dollars (\$325) and shall be prorated on a monthly basis.

10 (d) The renewal fee shall be three hundred twenty-five dollars
11 (\$325) and in the event a lower fee is fixed by the board, shall be
12 an amount sufficient to support the functions of the board in the
13 administration of this chapter. The renewal fee shall be assessed
14 on an annual basis until January 1, 1996, and on and after that date
15 the board shall assess the renewal fee biennially.

16 (e) The delinquency fee shall be set in accordance with Section
17 163.5.

18 (f) The application fee for the approval of a school or college
19 under Section 4939 shall be three thousand dollars (\$3,000). This
20 subdivision shall become inoperative on January 1, 2017.

21 (g) The duplicate wall license fee is an amount equal to the cost
22 to the board for the issuance of the duplicate license.

23 (h) The duplicate renewal receipt fee is ten dollars (\$10).

24 (i) The endorsement fee is ten dollars (\$10).

25 (j) The fee for a duplicate license for an additional office
26 location as required under Section 4961 shall be fifteen dollars
27 (\$15).

28 ~~SEC. 9.~~

29 *SEC. 8.* Section 5604 of the Business and Professions Code is
30 amended to read:

31 5604. The fees prescribed by this chapter for architect
32 applicants or architect licenseholders shall be fixed by the board
33 as follows:

34 (a) The application fee for reviewing a candidate's eligibility
35 to take any section of the examination shall not exceed one hundred
36 dollars (\$100).

37 (b) The fee for any section of the examination administered by
38 the board shall not exceed one hundred dollars (\$100).

39 (c) The fee for an original license at an amount equal to the
40 renewal fee in effect at the time the license is issued. The fee for

1 an original license shall be prorated on a monthly basis. The board,
2 by appropriate regulation, may provide for the waiver or refund
3 of the fee for an original license if the license is issued less than
4 45 days before the date on which it will expire.

5 (d) The fee for an application for reciprocity shall not exceed
6 one hundred dollars (\$100).

7 (e) The fee for a duplicate license shall not exceed twenty-five
8 dollars (\$25).

9 (f) The renewal fee shall not exceed four hundred dollars (\$400).

10 (g) The delinquency fee shall not exceed 50 percent of the
11 renewal fee.

12 (h) The fee for a retired license shall not exceed the fee
13 prescribed in subdivision (c).